BYLAW 2579/D&P/17

BEING A BYLAW OF THE TOWN OF STONY PLAIN IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF AMENDING THE BORDER AREA STRUCTURE PLAN BYLAW 2263/D&P/06

WHEREAS the Municipal Government Act 2000 enables Council to adopt by bylaw an area structure plan amendment for the purpose of amending a framework for subsequent subdivision and development of an area of land;

AND WHEREAS The Border Area Structure Plan Bylaw 2263/D&P/06 and the proposed amendment addresses the requirements of an area structure plan as outlined in Section 633(2) of the Municipal Government Act, RSA, 2000;

NOW THEREFORE, the Council of the Town of Stony Plain in the Province of Alberta, pursuant to authority conferred upon it by the Municipal Government Act, RSA, 2000 enacts as follows:

- 1. That this Bylaw 2579/D&P/17 be cited as "Border Area Structure Plan, First Amendment."
- 2. That "Schedule A" attached hereto is hereby adopted as part of this Bylaw.
- That the Border Area Structure Plan Bylaw 2263/D&P/06 be amended as described in "Schedule A."
- 4. If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.
- That this bylaw shall come into force and take effect upon the date of third reading and signing in accordance with the Municipal Government Act.

Read a first time this 25th day of September, 2017.

Mayor William Choy

Jen Boleski, CPA, CA

General Manager of Corporate Services

Public Hearing held on the 27th day of November, 2017.

Read a second time this 27th day of November, 2017.

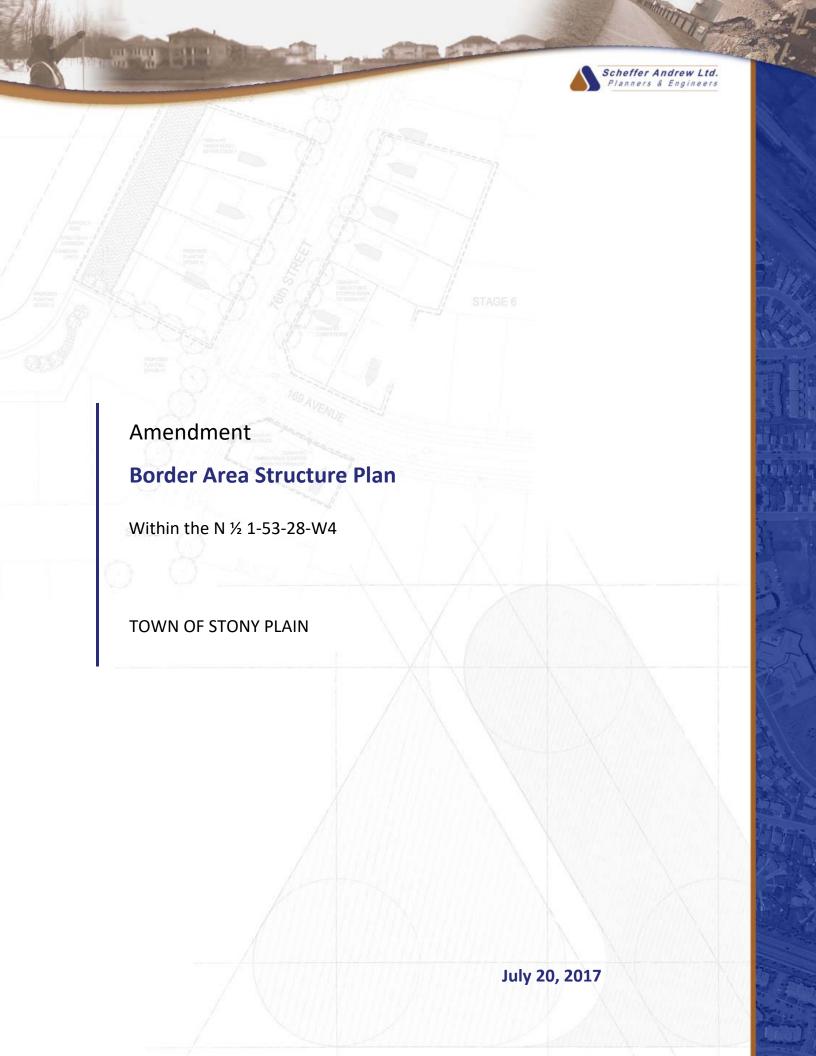
Read a third time this 27th day of November, 2017.

Mayor William Choy

General Manager of Corporate Services

SCHEDULE "A"

Border Area Structure Plan, First Amendment



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1 Introduction

The purpose of the *Border Area Structure Plan* amendment is to revise a portion of the proposed land use west of a tributary to Atim Creek from Open Space to Commercial in order to create a plan that reflects the current Town of Stony Plain statutory documents that proposes employment lands for this area. As well, a minor amendment in the northeast corner of the plan area is also included to increase the area of open space to encompass the floodplain of the creek.

The amendment areas are located on part of Lot 1 Plan 792-1088 and Lot 3 Plan 902-3561 within the NW 1-53-28-4 and contains a total area of 4.3 ha (10.6 acres). *Figure 1A Location Plan* updates the figure with the location of the two amendment areas. *Figure 2A Amendment Legal Description* indicates the extent of the amendment areas and updates legal descriptions in the base plan from the original approval of the plan in 2006. The approved *Proposed Future Development Concept* is illustrated in *Figure 3A*.

A redistricting application is being submitted concurrent with this amendment to support the proposed changes in land use on both affected parcels.

2 Background

2.1 Town of Stony Plain Municipal Development Plan

The revised Municipal Development Plan, Uniquely Stony Plain: *Municipal Development Plan* 2013 (MDP), was adopted March 10, 2014 (Bylaw 2489) to provide guidance for future redistricting and subdivision within the current Town boundary. This plan now includes the area of the *Border Area Structure Plan* (ASP) which had not been included in the previous MDP as the area had been recently annexed from Parkland County. As per the current MDP, the amendment area is proposed to be an "employment area" and thus is consistent with the intent of this statutory document for guiding future growth. Areas within the floodplain of the water course will be protected and not developed as per the MDP.

2.2 Border Area Structure Plan

The *Border Area Structure Plan* was adopted by the Town of Stony Plain on August 14, 2006 as Bylaw 2263. The majority of the plan area has been developed and is in concurrence with the approved uses within the plan. At the time, technical information was not available for the west side of the tributary of Atim Creek in the northwest portion of the plan area. The area was proposed as Open Space. With additional technical documentation, an area of development land has been delineated that would be developable as it outside of the 1:100 floodplain of the Atim Creek tributary and an

area on the east side has been added to the open space as it is within the floodplain. The figures in the amendment are numbered similar to the approved plan.

2.3 Land Use Bylaw

The amended Town of Stony Plain Land Use Bylaw (2546/LUO/15) was adopted December 14, 2015. At that time, the lands within the west amendment area were redistricted to FD- Future Development which is a holding district for rural lands. The east amendment area was districted to M1 – Business Industrial November 23, 2015 as Bylaw 2544/LUO/15. An application to amend the districts for the amendment areas has been submitted concurrently with this submission to redistrict the parcels to the appropriate district as per the proposed ASP.

3 Proposed Amendment

This proposed ASP amendment amends the proposed use of a portion of land west of the tributary of Atim Creek from Open Space to Commercial and a portion of land in the northeast corner from Business Industrial to Open Space. The location of the amendment areas are depicted in *Figure 1A Location Plan*. The *Current Development Concept* is illustrated in *Figure 3*, and the *Amended Development Concept* for the ASP is illustrated in *Figure 3A*. The developed portion of the ASP figures have been updated to reflect current registered plans.

The proposed redistricting application proposes to amend the designated districts from FD-Future Development to P1-Parks and C2-Commercial General for both parcels and a minor portion of the M1-Business Industrial to P1-Parks. This application has been submitted to the Town concurrent with the proposed ASP amendment.

3.1 Open Space

The delineation of the *Open Space* in the amendment area is to be determined at the time of subdivision. Open space may be combination of Municipal Reserve and Environmental Reserve, at the discretion of the Town of Stony Plain Subdivision Authority. Further to the Town's MDP, the Atim Creek corridor is to be protected. The 1:100 floodplain boundary of this tributary to Atim Creek will be wholly contained within the open space area. A floodplain analysis of this tributary is required to support the future proposed subdivision applications on the two involved parcels. This report was prepared so as to support a development permit application on the east side of the tributary and has been submitted to the Town under separate cover.

A Biophysical Review for the majority of the site was prepared for the proponent of the ASP amendment, owner of Lot 1 Plan 792-1088. This report, prepared by Green Plan Ltd. dated April

2016, identifies a wooded fen west of the creek adjacent to the acreage lot which will be protected as Open Space.

Municipal reserve obligation may be dedicated as land or as cash in lieu as per the Municipal Government Act and will be determined at the time of subdivision.

3.2 Commercial Use

The commercial uses proposed for this area west of the creek will be of a broad range allowing for a development that can optimize the location adjacent to the highway. The districting, as per the *Town's LUB*, will be *C-2 – Commercial General* which provides for a range of businesses that can benefit from being adjacent to the highway for both visibility and access. Examples of uses include Vehicle Sale, Contractor Service and Restaurant.

4 Land Use Statistics

The amendment increases the developable land base by 4.2 ha (10.4 acres) and reduces the proposed open space respectively on the west side of the creek and on the east side of the creek increases the Open Space area by 0.12 ha (0.3 acres) and decreases the Business Industrial area by the same area.

5 Transportation Network and Servicing

Overall, this amendment will have no effects on transportation within the ASP area. The west amendment area is physically fragmented from the balance of the plan area and will not direct traffic onto the industrial roads. No direct access to Highway 779 will be permitted by the provincial government therefore all access to the development area will be via the extension of the service road on the east side of the Highway and northwards to the existing approved access. *Figure 4A Transportation Concept Plan* reflects the current legal registrations in the ASP area and depicts the amendment area. The east amendment area does not require legal access as it is an increase in the open space area.

The proposed amendment to the ASP will have no effect on municipal and franchise servicing. Services will be extended as required. Control of the release of storm water from the development sites will be via on-site retention and will be required as part of the ultimate development. *Figure 5* depicts the approved *Proposed Storm Water Management* and *Figure 5A* presents the amended plan.

6 Staging

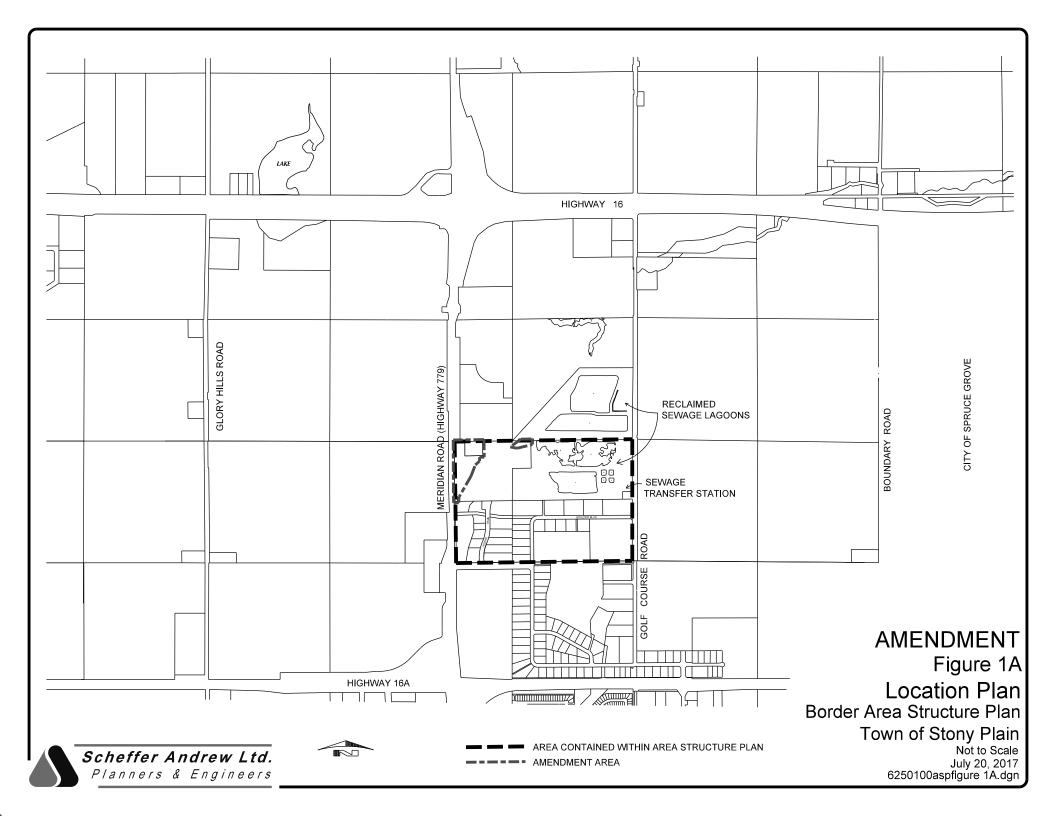
The development of the amendment area is proposed to be in two stages; the first stage being the majority of the area (Lot 1 Plan 792-1088) and the existing acreage lot of 1.2 ha (3 acres) will be the final stage.

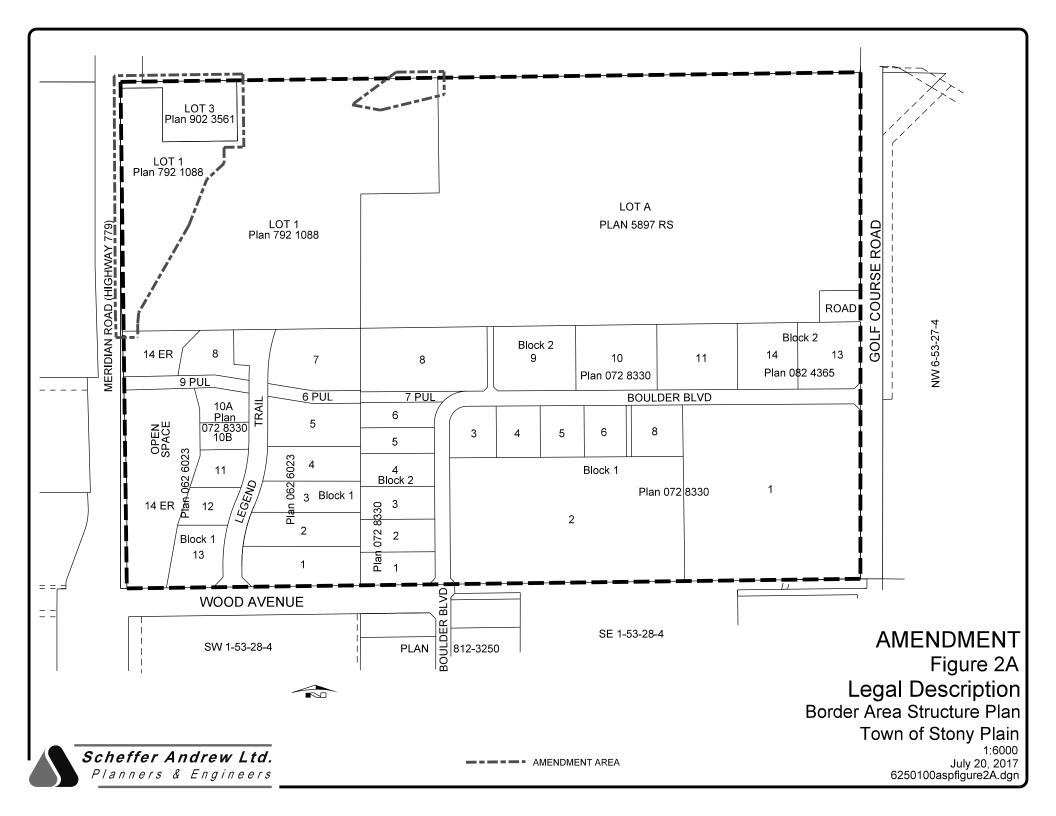
7 Public Input

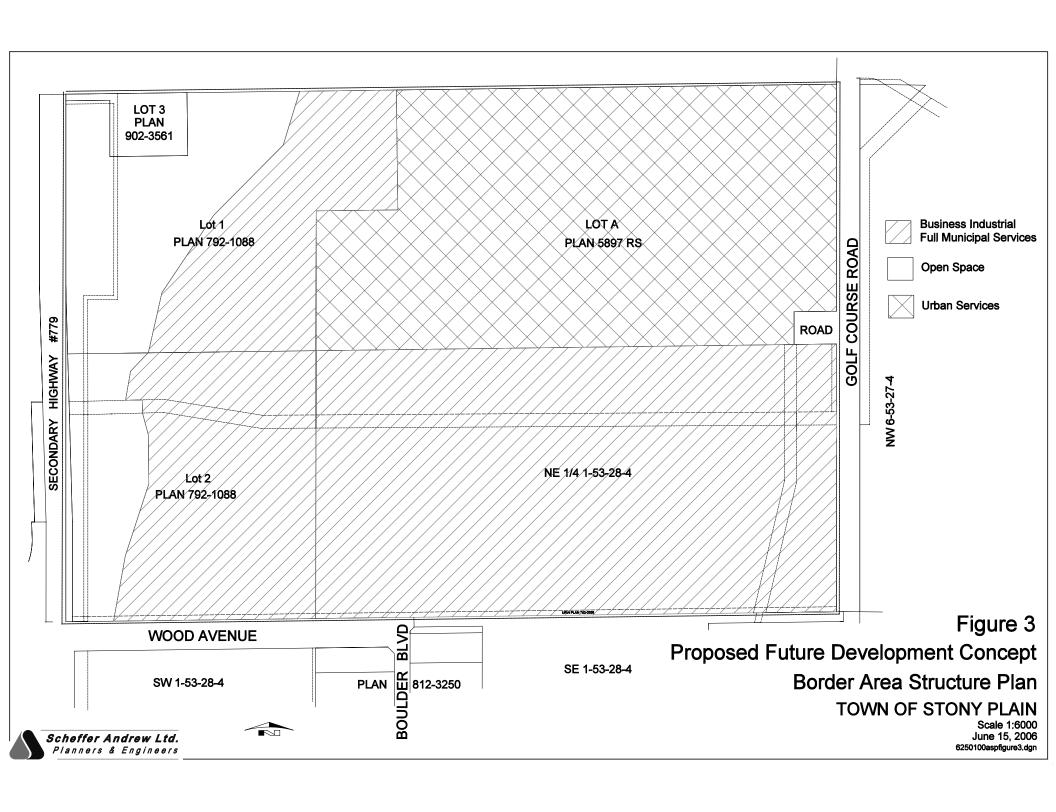
Both owners within the amendment area are in agreement with the proposed revisions in use. Due to physical separation from adjacent parcels by the highway and creek, effect on adjacent landowners is nominal therefore an open house was not held. It is noted that the lands east of the amendment area are part of the larger parcel. Notification to the general public will be by the Town of Stony Plain Administration as part of the formal circulation process.

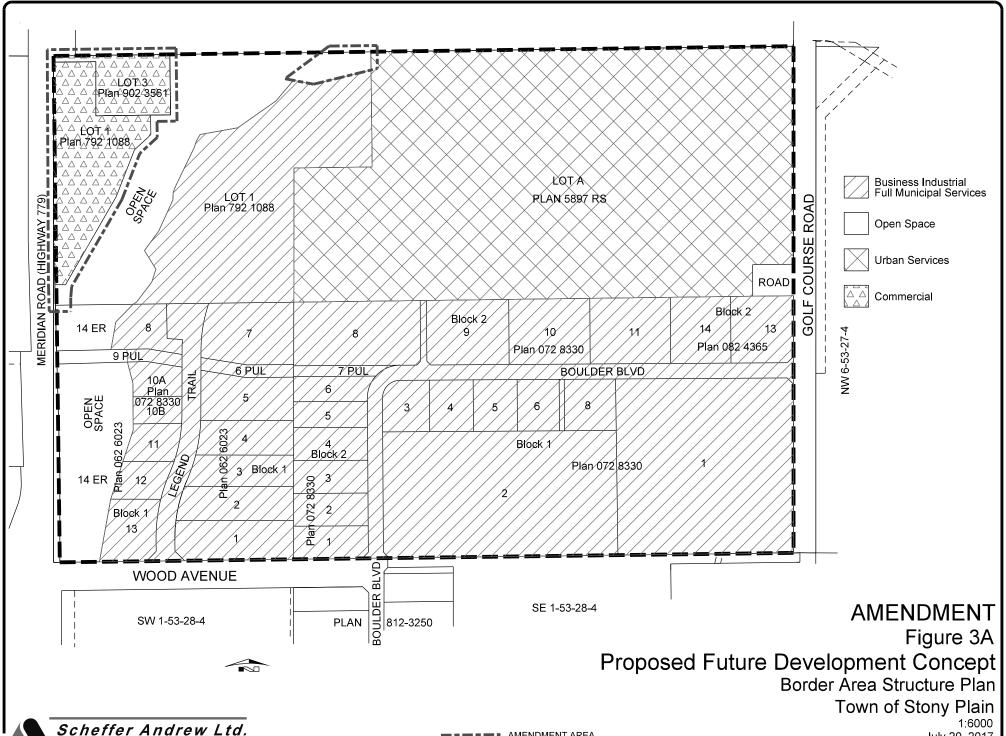
8 Rationale

The proposed amendment to the *Border ASP* will facilitate the addition of commercial lands with excellent visibility to the travelling public in the Town of Stony Plain. Access to the development area is ensured via the existing access off of the highway to the north and open space will be maintained to protect the creek.





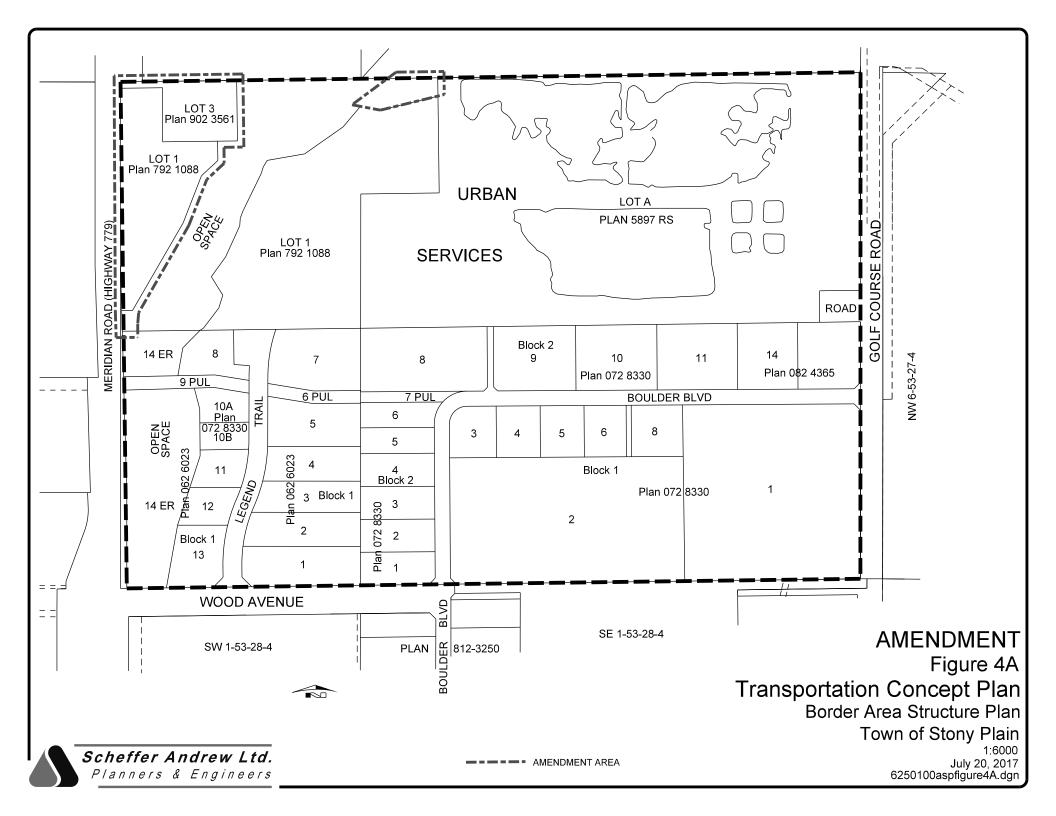


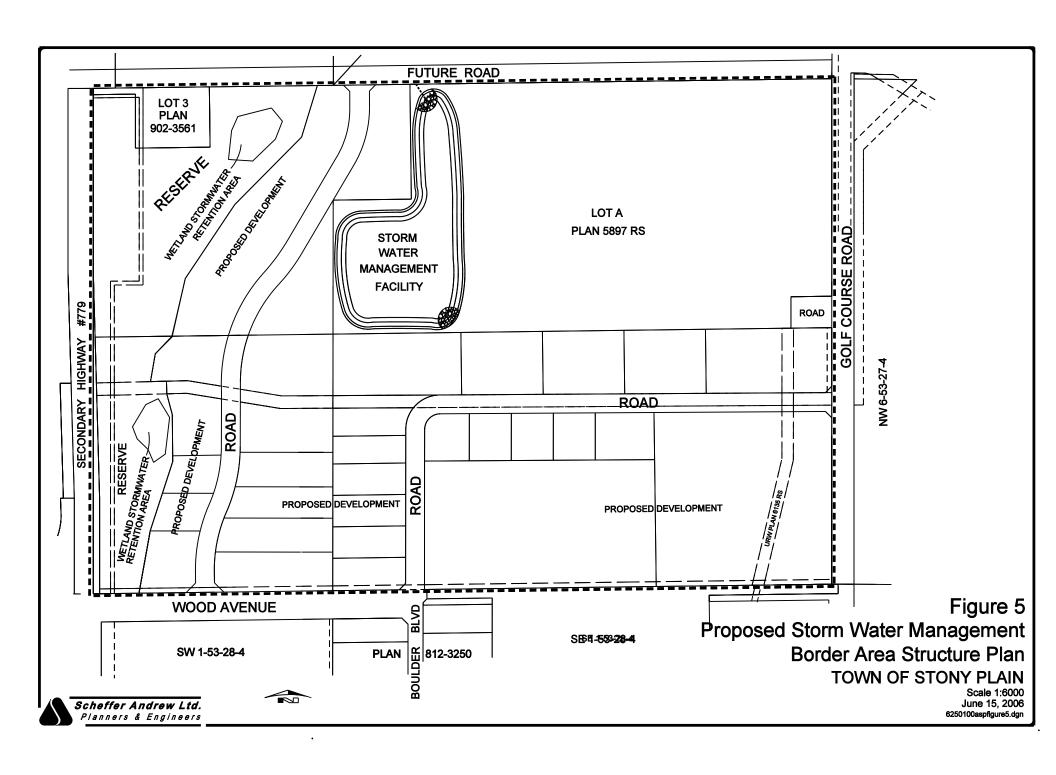


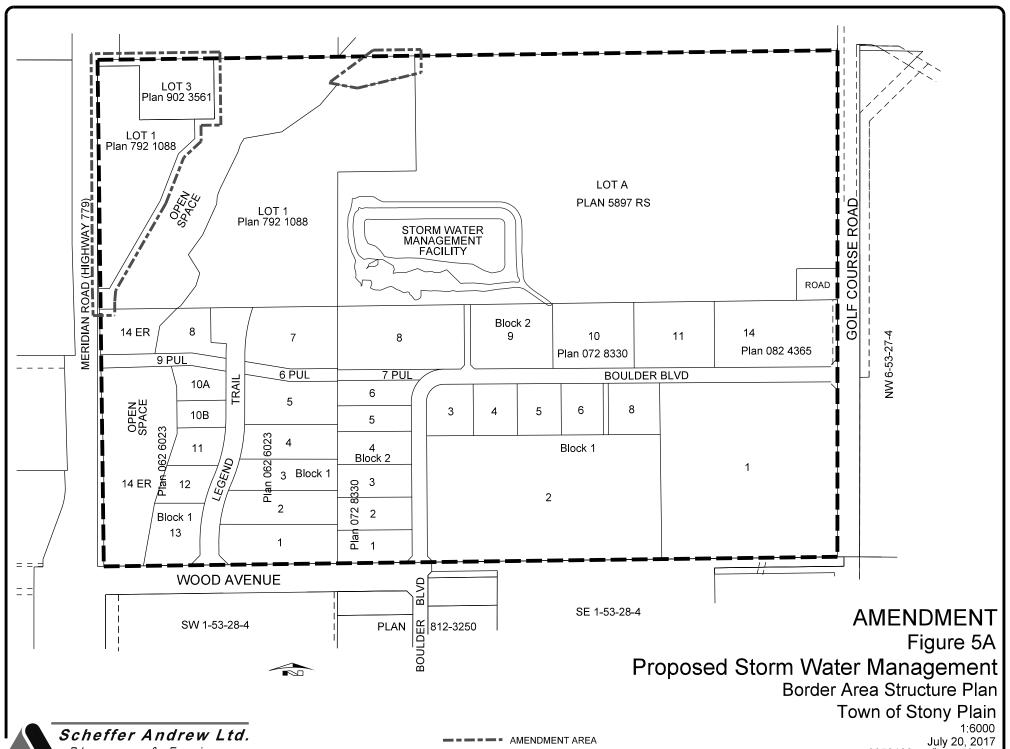
Planners & Engineers

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